



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing).

Total Number of Pages in This Submission

Application Number 10/651,055

Filing Date August 28, 2003

First Named Inventor Rahul Mital

Art Unit 3748

Examiner Name Diem T. Tran

Attorney Docket Number FLTW-65

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/ Incomplete Application☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☒ Petition☐ Petition to Convert to a Provisional Application  
☐ Power of Attorney, Revocation  
☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):Notice of Prior Petition to Revive Abandoned Application  
Return Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Krieg DeVault LLP

Signature

Printed name

John H. Allie

Date

July 24, 2006

Reg. No.

39,088

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Date

July 24, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No. 54,620

Group: 3748

Confirmation No.: 8992

Application No.: 10/651,055

Title of Invention: NOx ADSORBER  
AFTERTREATMENT SYSTEM  
FOR INTERNAL COMBUSTION  
ENGINES

Inventor: Rahul Mital, et al.

Filed: August 28, 2003

Attorney Docket: FLTW-65

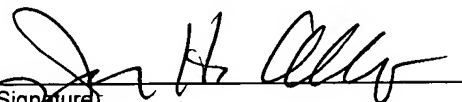
Examiner: Diem T. Tran



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on July 24, 2006

(Signature)   
(Printed Name) John H. Allie

## NOTICE OF PRIOR PETITION TO REVIVE ABANDONED APPLICATION

Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

07/27/2006 CHGUYEN1 00000053 10651055

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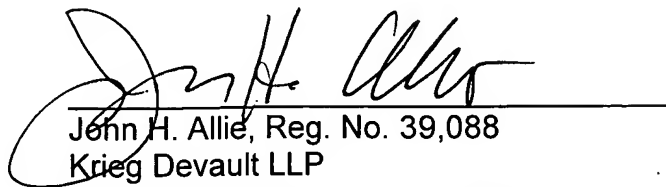
1500.00 OP

Sir:

The Applicant's representative received a Notice of Abandonment mailed June 27, 2006 regarding the above-referenced patent application. A copy of a prior Petition for Revival of the application is submitted herewith. The Petition for Revival of the patent application and associated fees were submitted with a Certificate of Mailing on June 1, 2006. The Applicant's respectfully request the revival of the unintentionally

abandoned application. If there are any matters that can be addressed by a telephone call, the undersigned welcomes such a call.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John H. Allie", is written over a horizontal line.

John H. Allie, Reg. No. 39,088

Krieg Devault LLP

One Indiana Square, Suite 2800

Indianapolis, Indiana 46204-2079

Phone: (317) 238-6268

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\*\*\*\*\*  
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**FAX COVER PAGE**

Date: June 1, 2006

Pages (including this page): 5

To: Mail Stop: PETITION

Fax: 571-273-8300 Phone:

From: Clifford W. Browning

Fax: (317) 238-6371 Phone: (317) 238-6203

Subject: U.S. Patent Application Serial No. 10/651,055

Comments:

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
FLTW-65

First named inventor: Rahul Mital

Application No.: 10/651,055

Art Unit: 3748

Filed: August 28, 2003

Examiner: Tran, Diem T.

Title: NOx ADSORBER AFTERTREATMENT SYSTEM FOR INTERNAL COMBUSTION ENGINES

Attention: Office of Petitions  
**Mail Stop Petition**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
 Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**
☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))
**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in  
 the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,700.00.

- ☐ has been paid previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Clifford W. Browning  
Signature

June 1, 2006  
Date

Clifford W. Browning  
Typed or printed name

32,201  
Registration Number, if applicable

One Indiana Square, Suite 2800  
Address

(317) 238-6203  
Telephone Number

Indianapolis, IN 46204-2079  
Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

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June 1, 2006  
Date

Clifford W. Browning  
Signature

Clifford W. Browning  
Typed or printed name of person signing certificate